

REGULAR MEETING AGENDA
AMENDED PAGES 6, 7, 8 AND 9

FEBRUARY 7, 2007

7:30 PM COURTHOUSE COUNCIL CHAMBERS

ROLL CALL

PRAYER

**APPROVAL OF THE MINUTES OF THE JANUARY 17, 2007
REGULAR MEETING AND THE MINUTES OF THE SPECIAL
MEETING OF JANUARY 31, 2007_____**

**ITEMS NOT ON THE AGENDA –
SUSPENSION OF THE RULES**

**PUBLIC COMMENT ON ANY PUBLIC MATTER
NOT ON THE AGENDA**

CHIEF EXECUTIVE'S REPORT

SECTION I CONSENT AGENDA

- A.**
1. COMMITTEE OF THE WHOLE MEETING REPORT
 2. FINANCE AND BUDGET COMMITTEE MEETING REPORT
 3. JUDICIARY COMMITTEE MEETING REPORT
 4. PUBLIC WORKS COMMITTEE MEETING REPORT
 5. PERSONNEL COMMITTEE MEETING REPORT

B. PETITIONS

1. 07-2 Patrick J. Riordan, Butte-Silver Bow SID Administrator, requesting creation of Special Improvement Lighting District 1027 and requesting council pass a resolution of Intent and schedule a public hearing.

C. COMMUNICATIONS

- 1 07-46 Ed Randall, Community Enrichment Coordinator, concurrence

with request to demolish 943 N. Main utilizing Community Enrichment Funds. **Recommendation: concur and place on file.**

2. 07-47 John C. Van Daveer, Public Works Director, requesting authorization for Chief Executive to Execute Standard Construction Agreement with Montana Department of Transportation. **Recommendation: concur and place on file.**
3. 07-49 John C. Van Daveer, Public Works Director, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
4. 07-50 Patrick M. Callaghan, Treasurer, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
5. 07-51 David B. Coleman, Commissioner District 8, requesting presentation by Montana National Guard Adjutant General Randy Mosley at Montana Army National Guard Armory at 7PM 3//14/07. **Recommendation: note and place on file.**
6. 07-52 David B. Coleman, Commissioner District 8, regarding resignation from the East Butte Revitalization and Rehabilitation Agency. **Recommendation: note and place on file**
7. 07-53 Tim Clark, Personnel Director, requesting concurrence in adopting the revised Personnel Policies and Procedures. **Recommendation: concur and place on file.**
8. 07-54 John P. Walsh, Sheriff, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
9. 07-55 Paul David Babb, Chief Executive, requesting concurrence in appointment of Frank Joseph to the Public Housing Authority. **Recommendation: concur and place on file.**
10. 07-56 Karen Byrnes, Director URA, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
11. 07-57 Linda Sajor Joyce, MIS Director, requesting authorization for Chief Executive to sign contract renewals for T1 Services with

Qwest Communications. **Recommendation: concur and place on file.**

12. 07-58 Gary Keeler, Transit Director, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
13. 07-59 Paul D. Babb, Chief Executive, requesting concurrence in appointment of Dan Foley to Southwest Regional Juvenile Detention Board. **Recommendation: concur and place on file.**
14. 07-60 Danette L. Gleason, Assistant Finance and Budget Director, requesting authorization for Chief Executive to enter into annual maintenance agreement for Gestetner Copy Machine with Lee's Office City. **Recommendation: concur and place on file.**
15. 07-61 Linda Sajor-Joyce, MIS Director, requesting authorization for Chief Executive to enter into contract with B+C Telephone for PBX Maintenance. **Recommendation: concur and place on file.**
16. 07-62 Jeffrey L. Miller, Director of Fire Services, requesting authorization to submit grant application to Town Pump Charitable Foundation. **Recommendation: concur and place on file.**
17. 07-63 Jeffrey L. Miller, Director of Fire Services, requesting authorization to conduct a bid opening 2/14/07 for a 2007 100' rear-mount aerial apparatus for the Butte-Silver Bow Fire Department. **Recommendation: hold in Committee of the Whole for bid opening on 2/14/07.**
18. 07-65 John P. Walsh, Sheriff, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
19. 07-66 John C. Van Daveer, Public Works Director, requesting time on 2/21/07 agenda to conduct a proposal opening for Request for Qualifications for Energy Performance and Operations Optimization Services. **Recommendation: hold in Committee of the Whole for proposal opening on 2/21/07.**
20. 07-67 Rob A. Macioroski, Land Records Director, regarding request to donate property to Butte-Silver Bow and direct the County

Attorney to prepare the resolution and deed for transfer of property to Butte-Silver Bow. **Recommendation: request County Attorney to prepare the resolution and deed for transfer of the property and hold in Committee of the Whole.**

21. 07-68 Jim Griffin, President Mai Wah Society, Inc., requesting permission to display Chinese Parade Dragon in the Courthouse Rotunda 2/16/07 through 2/24/07. **Recommendation: concur and place on file.**
22. 07-69 Rob Macioroski and Patsy Coates, Land Office, requesting time on 3/7/07 agenda to conduct bid opening for Title and Lien Search for the 2007 Tax Deed Process. **Recommendation: schedule bid opening and hold in Committee of the Whole.**
23. 07-70 Lori Casey, Senior Planner, requesting approval of Kelley Minor Subdivision and authorization for Chief Executive to sign final plat. **Recommendation: concur and place on file.**
24. 07-71 Stephen D. Hess, Senior Planner, requesting approval of Preliminary Plat of the RML Minor Subdivision. **Recommendation: concur and place on file.**
25. 07-72 Dan Dennehy, Health Officer, requesting authorization for Chief Executive to enter into two contracts. **Recommendation: concur and place on file.**
26. 07-73 John C. Van Daveer, requesting time on 2/21/07 agenda to conduct a bid opening in response to the Butte-Silver Bow invitation for bid for asphalt. **Recommendation: schedule bid opening for 2/21/07 and hold in Committee of the Whole.**
27. 07-74 John C. Van Daveer, requesting time on 2/21/07 agenda to conduct a bid opening in response to the Butte-Silver Bow invitation for bid for 2007 hot asphalt and sanding machine. **Recommendation: schedule bid opening and hold in Committee of the Whole.**
28. 07-75 Bill Melvin, Civic Center Manager, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
29. 07-76 Russ Connoles, Economic Development Director, requesting approval and authorization for Chief Executive to enter into

contract with HKM and Pioneer Technical Services.
Recommendation: concur and place on file.

30. 07-77 Russ Connole, Economic Development Director, requesting authorization for Chief Executive to enter into a contract for engineering services with Everly and Associates.
Recommendation: concur and place on file
31. 07-78 Jim Griffin, President Mai Wah Society, Inc. requesting approval of Chinese New Year events on February 24, 2007.
Recommendation: concur and place on file.
32. 07-79 Julie Janacaro, Butte-Silver Bow Family Drug Court Coordinator, requesting approval for Chief Executive to authorize Butte-Silver Bow Health Department to apply for Family Drug Court Grant. **Recommendation: concur and place on file.**
33. 07-80 Jeff Amerman, Finance and Budget Director, requesting authorization for Chief Executive to sign engagement letter with Glick Consulting Group to draft a Capital Asset Policies and Procedures Handbook. **Recommendation: concur and place on file.**
34. 07-81 Jeff Amerman, Finance and Budget Director, requesting authorization for Chief Executive to sign engagement letter with Glick Consulting Group for technical assistance.
Recommendation: concur and place on file.
35. 07-82 Jeffrey L. Miller, Director of Fire Services, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
36. 07-82 Jeffrey L. Miller, Director of Fire Services, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
37. 07-83 Jean Pentecost, Operations Manager, requesting permission to advertise for water main renewal and authorization for Chief Executive to sign contract. **Recommendation: concur and place on file.**
38. 07-84 Karen Byrnes, Director Community Development Department, requesting authorization for Chief Executive to sign Home Owner Deferred Repayment Assistance Agreement and Housing Rehabilitation Lien Agreement. **Recommendation:**

concur and place on file.

39. 07-85 Jean Pentecost, Operations Manager, requesting time on 2/21/07 agenda to conduct a bid opening for Water Main Renewal.
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Recommendation: schedule bid opening and hold in Committee of the Whole.

SECTION II COMMUNICATIONS TO BE READ AND ACTED UPON

1. 07-48 John P. Walsh, Sheriff, requesting confirmation of Benjamin Rauch as a permanent member of the Butte-Silver Bow Law Enforcement Department.
2. 07-64 Paul D. Babb, Chief Executive, requesting concurrence in approval of Thomas Deiter as a probationary entry-level fire fighter.
3. 07-86 Charlie O’Leary, Commissioner District 5, requesting Council viewpoint on the possibility of contracting with Russ Reid Company for help in securing federal funding for unfunded infrastructure problems in Butte-Silver Bow

SECTION III ORDINANCES AND RESOLUTIONS – REFERRED TO JUDICIARY

1. COUNCIL BILL NO. 07-2 ORDINANCE NO. 07-2

AN ORDINANCE AMENDING CHAPTER 10.48 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “MISCELLANEOUS DRIVING RULES”; ADDING A NEW SECTION ENTITLED “DRIVING WITHOUT MOTOR VEHICLE INSURANCE PROHIBITED” TO BE NUMBER SECTION 10.48.165; PROVIDING FOR A SURCHARGE AS SET FORTH IN SECTION 10.96.010 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. COUNCIL RESOLUTION NO. 07-05

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE RML MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. COUNCIL RESOLUTION NO. 07-6

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE KELLEY MINOR SUBDIVISION – SUMMARY REVIEW OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

4. COUNCIL RESOLUTION NO. 07-08

A RESOLUTION ACCEPTING THE DONATION OF LOT 5 IN BLOCK 9 OF THE PLYMOUTH ADDITION AND LOT 11 OF THE SILVER JOE AND CARRIE LODE LOCATED IN SECTION 13, TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M. TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION IV ORDINANCES - SECOND READING

**1. COUNCIL BILL NO. 06-12
ORDINANCE NO. 06-12**

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO. 239 AND CHAPTER 2.64 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “HISTORIC PRESERVATION COMMISSION”; REPEALING CHAPTER 17.33 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “H HISTORIC OVERLAY ZONE”; PROVIDING FOR THE PRESERVATION, PROTECTION, AND PROMOTION OF HISTORIC PROPERTIES, APPOINTMENT ND QUALIFICATION OF MEMBER, DUTIES AND RESPONSIBILITIES OF THE HISTORIC PRESERVATION COMMISSION; APPOINTMENT AND DUTIES OF THE LOCAL HISTORIC PRESERVATION OFFICER; CREATION OF A LOCAL REGISTER AND ITS DESIGNATION AND PROCEDURES; CREATION AND ADMINISTRATION OF DESIGN REVIEW PROTECTION FOR LOCAL REGISTER PROPERTIES; CREATION AND REVIEW OF LOCAL PRESERVATION INCENTIVES; DEVELOPMENT AND PUBLICATION OF HISTORIC PRESERVATION GUIDELINES; REVIEW AND AUTHORIZATION OF DEMOLITION PERMITS ON HISTORIC PROPERTIES; CREATION OF DEMOLITION BY NEGLECT PROCEDURES ON HISTORIC PROPERTIES; ENFORCEMENT OF THIS ORDINANCE; REPEALING BUTTE-SILVER BOW ORDINANCE NO. 238 IN ITS ENTIRETY AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**2. COUNCIL BILL NO. 07-1
ORDINANCE NO. 07-1**

AN ORDINANCE AMENDING SUBSECTION 9.01 OF SECTION 4 OF BUTTE-SILVER BOW ORDINANCE NO. 204 AND SECTION 10.32.010(i) OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “STOP SIGNS”; PROVIDING THAT TRAFFIC PROCEEDING ALONG IDAHO STREET SHALL STOP BEFORE ENTERING THE INTERSECTION OF IDAHO STREET AND JOSETTE AVENUE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION V ORDINANCES AND RESOLUTIONS –
FINAL READING**

1. COUNCIL RESOLUTION NO. 07-1

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING THE STREET ADJACENT TO LOTS 14, 15, 16, 17 AND 18, THE ALLEY ADJACENT TO LOTS 9, 10, 11, 12 AND 13 AND THE ALLEY ADJACENT TO LOTS 3, 4, 5, 6, 7 AND 8, ALL IN BLOCK 45 OF THE SOUTH PARK ADDITION WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION AND FINDING THE NECESSARY FACTS HEREIN.

2. COUNCIL RESOLUTION NO. 07-03

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE NICHOLS MINOR SUBDIVISION – SUMMARY REVIEW OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

**SECTION VI ORDINANCES AND RESOLUTIONS –
SUSPENSION OF THE RULES FOR FINAL PASSAGE**

1. COUNCIL RESOLUTION NO. 07-4

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A CERTAIN PARCEL OF REAL PROPERTY UNOFFICIALLY DESCRIBED AS LOT 9 AND LOTS 25, 26 AND 27 OF THE BALTIC LODE (AN UNFILED PLAT), LOCATED IN SECTION 13, TOWNSHIP 3 NORTH,

RANGE 8 WEST, BUTTE-SILVER BOWS, MONTANA, FOR THE PURPOSE OF COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. COUNCIL RESOLUTION NO. 07-7

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS A PORTION OF THE BLUEBELL LODGE, MINERAL SURVEY NO. 3776 LOCATED IN SECTION 25, TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M., OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VII CALENDAR OF OTHER MEETINGS AND EVENTS

Feb. 12	Archives	Noon	Archives Center
Feb. 15	Community Enrichment	4PM	1 st Floor Conference Room
Feb. 15	Zoning Board of Adjustment	5:30PM	Council Chambers
Feb. 19	Airport Authority	Noon	Bert Mooney Airport
Feb. 20	Historic Preservation	4:30PM	Chief Executive's Conference Room
Feb. 20	Housing Authority	5:30PM	Silver Bow Homes Housing Authority
Feb. 20	Parks and Recreation	4:15	Civic Center Conference Room
Feb. 20	Technical Review Committee	1:30PM	Conference Room – Water Co. Bldg.
Feb. 21	Fair Board	5:30 PM	Chief Executive's Conference Room
Feb. 21	Parking Commission	4PM	Chief Executive's Conference Room
Feb. 22	Business Development Center	10AM	Business Development Center
Feb. 22	Planning Board	7PM	Council Chambers

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COMMITTEE OF THE WHOLE MEETING REPORT

JANUARY 31, 2007

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Committee of the Whole, respectfully recommend as follows:

SECTION I INVITATION FOR PROPOSALS

SEALED PROPOSALS FROM QUALIFIED FIRMS TO ASSIST BUTTE-SILVER BOW COUNTY WITH THE ESTABLISHMENT OF A FOREIGN TRADE ZONE THAT WILL BENEFIT THE PORT OF MONTANA – BUSINESS DEVELOPMENT DISTRICT (BUTTE-SILVER BOW COUNTY TAX INCREMENT FINANCING INDUSTRIAL DISTRICT NO. 2. (TIFID).

(Communication No. 07-44 was placed on file 1/17/07) Proof of publication was noted and place on file.

Russ Connole, Economic Development Director, opened the following proposals:

Rockefeller Group	Annapolis, MD.
IMS Inc.	Texas
Miller & Co.	Kansas City, MO
Point Trade Services	Florida

Committee recommends to refer the proposals to the TIFID Board for review and report back.

SECTION II INVITATION FOR BIDS

SEALED BIDS FOR A NEW 1250 GPM PUMPER TRUCK FOR THE HOME ATHERTON FIRE DEPARTMENT. (Communication No. 07-19 being held in Committee of the Whole) **Proof of publication was noted and placed on file.**

Jeff Miller, Director of Fire Services, opened the following bids:

Montana Fire Works, Bozeman	Total Bid - \$221,124.28 \$254,713.44 – Option 2
General Fire Equipment, Spokane	Total Bid – 240,611.00

Committee recommends to refer bids to the Director of Fire Services for review and report back.

Ellen Crain, Director Public Archives, requesting time on 1/31/07 Agenda to make a presentation and to receive public comments on projects for 2007 Community Transportation Enhancement Program.

Committee recommends to have the Community Development Department begin the CTEP process for 2007 and place Communication No. 07-16 on file.

Karen Byrnes, Director Community Development Department, requesting time on the 1/31/07 agenda to present an update of Butte-Silver Bow's recognition as a Preserve America Community and recent receipt of grant from State Historic Preservation Office.

No further action was taken on this communication.

Bill Melvin, Civic Center Manager, requesting approval to allow EdTech Federal Credit Union to place an ATM in the lobby of the Civic Center. *Committee recommends that Communication No. 06-648 be held in abeyance.*

Bob Macioroski, Director Land Office, requesting acceptance of donation of property from Montana Mental Health Center. *Committee recommends that Communication No. 06-69 3be placed on file.*

Stephen D. Hess, Senior Planner, requesting approval of Preliminary Plat of the Johnson Creek Minor Subdivision. ***Committee recommends that Communication No. 06-731 be held in abeyance.***

SECTION VIII

COMMUNICATION NO. 06-733

Cindy Mc Ilveen, Planning Department, requesting concurrence to authorize submission of project proposals to State of Montana's Natural Resource Damage Program and time for Public Comment on 1/10/07. *Committee recommends that Communication No. 06-733 be placed on file.*

SECTION IX

COMMUNICATION NO. 07-16

Ellen Crain, Director Public Archives, requesting time on 1/31/07 agenda to make a presentation and to receive public comments on projects for 2007 Community Transportation Enhancement Program. *Committee recommends that Communication No. 07-16 be placed on file.*

SECTION X

COMMUNICATION NO. 07-19

Rick Gelling, Equipment Supervisor, requesting time on 1/31/07 agenda to conduct a bid opening for a new 1250 GPM Pumper Truck for Home Atherton Fire Department. *Committee recommends that Communication No. 07-19 be placed on file.*

SECTION XI

COMMUNICATION NO. 07-21

Robert A. Macioroski, Director Butte-Silver Bow Land Office, requesting County Attorney be requested to prepare resolution and deed for transfer of county-owned property to Steven and Julie Jaksha. *Committee recommends that Communication No. 07-21 be held in abeyance.*

SECTION XII

COMMUNICATION NO. 07-23

Karen Byrnes, Director Community Development Department, requesting time on the 1/31/07 agenda to present an update of Butte-Silver Bow's recognition as a preserve America Community and recent receipt of grant from State Historic Preservation Office. *Committee recommends that Communication No. 07-23 be placed on file.*

SECTION XIII

COMMUNICATION NO. 07-30

Rob Macioroski, Director Land Office, requesting approval of sale of property at 241 E. Park Street and authorization for County Attorney to prepare a resolution for sale of this county-owned property. *Committee recommends that Communication No. 07-30 be held in abeyance.*

SECTION XIV

COMMUNICATION NO. 07-36

Jeff Miller, Director of Fire Services, requesting authorization for Chief Executive to seek funding on behalf of Butte-Silver Bow Fire Department through Montana Board of Investments Intercap Loan Program. *Committee recommends that Communication No. 07-36 be held in abeyance for resolution.*

FINANCE & BUDGET COMMITTEE MEETING REPORT

JANUARY 31, 2007

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Finance and Budget Committee, respectfully recommend as follows:

SECTION I COMMUNICATION NO. 07-28

Mary M. McMahon, Clerk and Recorder, requesting approval of line item budget transfers. *Committee recommends that Communication No. 07-28 be approved as submitted*

SECTION II COMMUNICATION NO. 07-39

John P. Walsh, Sheriff, requesting approval of line item budget transfers. *Committee recommends that Communication No. 07-39 be approved as submitted*

SECTION III EXPENDITURE APPROVAL

1/17/07	\$231,935.65
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Committee recommends approval of above and place on file.

1/31/07	\$905,148.66
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Committee recommends approval and place on file except Voucher numbers 6457 and 6458.

JUDICIARY COMMITTEE MEETING REPORT

JANUARY 31, 2007

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Judiciary Committee, respectfully recommend as follows:

SECTION I

Charlie O’Leary, Commissioner District 5, requesting creation of an ordinance to be located in Section 6 of the Butte-Silver Bow Municipal Code Book – Animals.
Committee recommends that Communication No. 06-69 be held in abeyance.

SECTION II **COMMUNICATION NO. 06-531**

Charlie O’Leary, Commissioner District 5, requesting Council refer to Judiciary Committee for the purpose of declaring Gas Tax Road 235 (A/K/A the east portion of Forest Service Road 84) as a county road. ***Committee recommends that Communication No. 06-531 be held in abeyance.***

SECTION III **COMMUNICATION NO. 06-532**

Andrew Wilson, requesting noise abatement regulations be enforced in his neighborhood. *Committee recommends that Communication No. 06-532 be held in abeyance and requests that a letter be sent to Dan Dennehy requesting he appear before Judiciary Committee in two weeks, February 14th to explain his position of this matter.*

SECTION IV

Mark and Shirley Rule, requesting proposal to enter into 5-year lease and one 5-year renewable term of Rose and Shamrock Mining Claim #2829 on Moulton Reservoir Road. *Committee recommends that Communication No. 06-673 be held in abeyance and requests letters be sent to Mr. Macioroski, Jean Pentecost and Mr. and Mrs. Rule to meet with Judiciary Committee on February 14, 2007*

COUNCIL BILL NO. 05-11
ORDINANCE NO. 05-11

AN ORDINANCE CREATING A NEW CHAPTER WITHIN THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) TO BE ENTITLED “SECONDHAND GOODS” TO BE NUMBERED CHAPTER 5.66, B-SB MC;

ESTABLISHING REGULATIONS FOR ALL SECONDHAND DEALERS INCLUDING SECONDHAND STORES, PAWNBROKERS, COIN DEALERS, AND DEALERS IN PRECIOUS AND SEMI-PRECIOUS METALS OR STONES; ESTABLISHING REPORT REQUIREMENTS; SETTING LICENSING FEES; ESTABLISHING PENALTIES FOR VIOLATION; REPEALING CHAPTERS 5.36 AND 5.44, B-SB MC AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Bill No. 05-11, Ordinance No. 05-11 be held in abeyance.*

SECTION VI

COUNCIL BILL NO. 06-2 ORDINANCE NO. 06-2

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 204 AND SECTION 10.40.050 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "SPEED LIMIT;" ESTABLISHING A 35 MPH SPEED LIMIT ON HANSEN ROAD BEGINNING AT ITS INTERSECTION WITH BEEF TRAIL ROAD AND MONTANA STREET ON THE NORTH AND CONTINUING SOUTH TO A POINT 0.702 MILES ON THE SOUTH; ESTABLISHING A 25 MPH SPEED LIMIT ON HANSEN ROAD FROM A POINT 0.971 MILES SOUTH OF ITS INTERSECTION WITH BEEF TRAIL ROAD AND MONTANA STREET ON THE NORTH TO HOLMES AVENUE ON THE SOUTH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Bill No. 06-2, Ordinance No. 06-2 be held in abeyance.*

SECTION VII

COUNCIL BILL NO. 06-12 ORDINANCE NO. 06-12

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO. 239 AND CHAPTER 2.64 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "HISTORIC PRESERVATION COMMISSION"; REPEALING CHAPTER 17.33 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "H HISTORIC OVERLAY ZONE"; PROVIDING FOR THE PRESERVATION, PROTECTION, AND PROMOTION OF HISTORIC PROPERTIES, APPOINTMENT AND QUALIFICATION OF MEMBER, DUTIES AND RESPONSIBILITIES OF THE HISTORIC PRESERVATION COMMISSION; APPOINTMENT AND DUTIES OF THE LOCAL HISTORIC PRESERVATION OFFICER; CREATION OF A LOCAL REGISTER AND ITS DESIGNATION AND PROCEDURES; CREATION AND ADMINISTRATION OF DESIGN REVIEW PROTECTION FOR LOCAL REGISTER PROPERTIES; CREATION AND REVIEW OF LOCAL PRESERVATION INCENTIVES; DEVELOPMENT AND PUBLICATION OF HISTORIC PRESERVATION GUIDELINES; REVIEW AND AUTHORIZATION OF DEMOLITION PERMITS ON HISTORIC PROPERTIES; CREATION OF DEMOLITION BY NEGLECT

PROCEDURES ON HISTORIC PROPERTIES; ENFORCEMENT OF THIS ORDINANCE; REPEALING BUTTE-SILVER BOW ORDINANCE NO. 238 IN ITS ENTIRETY AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Bill No. 06-12, Ordinance No. 06-12 be placed on second reading and passed.*

SECTION VIII **COUNCIL BILL NO. 07-1**
ORDINANCE NO. 07-1

AN ORDINANCE AMENDING SUBSECTION 9.01 OF SECTION 4 OF BUTTE-SILVER BOW ORDINANCE NO. 204 AND SECTION 10.32.010(i) OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “STOP SIGNS”; PROVIDING THAT TRAFFIC PROCEEDING ALONG IDAHO STREET SHALL STOP BEFORE ENTERING THE INTERSECTION OF IDAHO STREET AND JOSETTE AVENUE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Bill No. 07-1, Ordinance No. 07-1 be placed on second reading and passed.*

SECTION IX COUNCIL RESOLUTION NO. 06-119

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE JOHNSON CREEK MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND FINDING THE NECESSARY FACTS HEREIN. *Committee recommends that Council Resolution No. 06-119 be held in abeyance.*

SECTION X

COUNCIL RESOLUTION NO. 07-1

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING THE STREET ADJACENT TO LOTS 14, 15, 16, 17 AND 18, THE ALLEY ADJACENT TO LOTS 9, 10, 11, 12 AND 13 AND THE ALLEY ADJACENT TO LOTS 3, 4, 5, 6, 7 AND 8, ALL IN BLOCK 45 OF THE SOUTH PARK ADDITION WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION AND FINDING THE NECESSARY FACTS HEREIN. *Committee recommends that Council Resolution No. 07-1 be placed on second reading and passed.*

SECTION XI

COUNCIL RESOLUTION NO. 07-3

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE NICHOLS MINOR SUBDIVISION – SUMMARY REVIEW OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF

RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN
EFFECTIVE DATE HEREIN. *Committee recommends that Council
Resolution be placed on final reading and passed.*

SECTION XII

CLAIM APPROVAL

5937	Kenneth A. Wilson	\$150.00	Property Tax Refund
6037	Poore, Roth & Robinson	\$555.00	Professional Services -Bleile
6038	Worden Thane PC	\$195.00	Professional Services, Highland Rd.
6056	J. D. Lynch	\$3,000.00	Services per contract
6829	James Burgess	\$2,318.54	Redeem Tax Assg.

Committee recommends approval of all of the above claims.

PUBLIC WORKS COMMITTEE MEETING REPORT

JANUARY 31, 2007

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Public Works Committee, respectfully recommend as follows:

SECTION I

PETITION NO. 06-5

John Harrington, Building Official, requesting on behalf of Roy Morris to close and vacate a street adjacent to Lots 14 through 18 in Block 45 of the South Park Addition and alley adjacent to Lots 3 through 8, Block 45, South Park Addition. *Committee recommends that Petition No. 06-5 be cross referenced to Resolution No. 07-01 and place on file*

SECTION II

PETITION NO. 06-09

John Harrington, Building Official, requesting on behalf of Charles and Roxanna Bulen, Sportsman Motel and RV to close and vacate a portion of 5th St. in Melrose between Blocks 8 and 10, Melrose Townsite. *Committee recommends that Petition No. 06-09 be held in abeyance and a public hearing be set.*

SECTION III

PETITION NO. 07-1

John Harrington, Building Official, requesting on behalf of Steve and Sharon Wilson to close and vacate a portion of Henry Street. *Committee recommends that Petition No. 07-1 be held in abeyance and a public hearing be set*

SECTION IV

COMMUNICATION NO. 05-66

Charlie O'Leary, Commissioner District 5, requesting speed limits and urban highway designations on a portion of Western Boulevard and also Meadowlark. *Committee recommends that Communication No. 05-66 be held in abeyance.*

SECTION V

COMMUNICATION NO. 05-522

Charlie O'Leary, Commissioner District 5, requesting signs, guardrails, etc., in the area of Meadowview Drive and the street leading into the Homestake Meadows Subdivision. *Committee recommends that Communication be held in abeyance.*

SECTION VI**COMMUNICATION NO. 05-642**

Paul Babb, Chief Executive, requesting time on 11/9/05 agenda for presentation on Sunset Memorial Cemetery by Danette Gleason, Assistant Finance and Budget Director, Mollie Maffei, Deputy County Attorney and Pat Burt, Newland and Company. *Committee recommends that Communication No. 05-642 be held in abeyance.*

SECTION VII**COMMUNICATION NO. 06-146**

Joseph E. Lee, Commissioner District #2, requesting traffic study/intersection of Amherst and Farragut. *Committee recommends that Communication No. 06-146 be held in abeyance.*

SECTION VIII**COMMUNICATION NO. 06-533**

Patrick Kearney, requesting four-way stop be placed at the corner of George and Garfield. *Committee recommends that Communication No. 06-533 be held in abeyance.*

SECTION IX**COMMUNICATION NO. 06-631**

Shelly J. Martin-Dixon, requesting stop sign at end of the Block on South Idaho Street. *Committee recommends that Communication No. 06-631 be cross referenced with Council Bill 07-01, Ordinance No. 07-01 and placed on file.*

SECTION X**COMMUNICATION NO. 06-659**

Mike Sheehy, Commissioner District 10, regarding paving of Hill Top Apartments' driveway. *Committee recommends that Communication No. 06-659 be held in abeyance.*

SECTION XI**COMMUNICATION NO. 06-661**

Jon Sesso, Planning Director, requesting council prioritize road improvement project – intersection of Beef Train Road and Little Basin Creek Road. *Committee recommends that Communication No. 06-661 be held in abeyance.*

SECTION XII**COMMUNICATION NO. 06-701**

Marko Lucich, Executive Director Chamber of Commerce. Requesting time on the Public Works Agenda to make a presentation on the progress on the Green Belt Conceptual Plan (Berkeley Pit Viewing Stand). *Committee recommends that Communication No. 06-701 be held in abeyance.*

PERSONNEL COMMITTEE MEETING REPORT

JANUARY 31, 2007

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen:

We, your Personnel Committee, respectfully recommend as follows:

SECTION I **COMMUNICATION NO. 06-730**

Jeff Amerman, Finance and Budget Director, requesting time on 12/20/06 agenda to make an informational report on payroll issues. ***Committee recommends that Communication No. 06-730 be held in abeyance.***

SECTION II

Tim Clark, Personnel Director, requesting concurrence in wage increases for Bill Foster and Kathleen Czech, interns in Chemical Dependency Program. ***Committee recommends approval of Personnel Director request to allow 5% increase in salary for Chemical Dependency Counselors Foster and Czech.***